

PATRICK N. CHAPIN, ESQ.
Nevada Bar No. 004946
Patrick N. Chapin, Ltd.
129 Cassia Way
Henderson, Nevada 89014
(702) 433-7295
Attorney for Plaintiffs/Petitioners

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

TESS CARDINALE, Guardian Ad Litem
for SANTINO CARDINALE and GIANNI
CARDINALE, Minors; and TESS
CARDINALE and LEONARD
CARDINALE,

Plaintiffs/Petitioners,

vs.

LA PETITE ACADEMY, INC., a Delaware
Corporation; DOES I-X and ROE
CORPORATIONS I-X, inclusive,

Defendants.

Case No. 2:02-cv-00122-RFB (LRL)

**PETITION FOR DISTRIBUTION
OF FUNDS IN BLOCKED ACCOUNT**

Plaintiff/Petitioner TESS CARDINALE, as Guardian Ad Litem for SANTINO CARDINALE, by and through her counsel of record herein, Patrick N. Chapin, Esq. with Patrick N. Chapin, Ltd., hereby submits the Petition for Distribution of Funds in Blocked Account. Petitioner respectfully states as follows:

1. That an Order Approving Petition for Compromise of Minors' Claims was granted by this Honorable Court on the 2nd day of August, 2004 directing that the sum of \$5,000.00 be deposited into a blocked financial investment account for the benefit of minor, SANTINO CARDINALE (see **Exhibit 1**).

2. A blocked account was established with Bank of America under Account No. 91000055050357 (hereinafter referred to as "Account 0357"). As of March 8, 2017, Account 0357 currently has a balance of \$7,363.82 (see **Exhibit 2**).

4 4. That the blocked account is no longer needed because SANTINO
5 CARDINALE has attained the age of majority and is capable of handling his own affairs.
6 Therefore, the funds in Account 0357 should be distributed to SANTINO CARDINALE, an
7 adult.

8 **WHEREFORE**, Petitioner prays that the Court issue an Order providing that:

9 A. BANK OF AMERICA be authorized and directed to distribute any and all
10 funds in Account No. 91000055050357 to SANTINO CARDINALE, an adult.

11 B. That Petitioner be granted such other and further relief as the Court may deem
12 proper.

13 Dated this 9th day of March, 2017.

PATRICK N. CHAPIN, LTD.

Peter M. Hayes

PATRICK N. CHAPIN, ESQ.

Nevada Bar No. 004946

129 Cassia Way

Henderson, Nevada 89014

(702) 433-7295

Attorney for Plaintiffs/Petitioners

AFFIDAVIT OF SANTINO CARDINALE

I, SANTINO CARDINALE, under penalty of perjury, state that I am the recipient in the within action and confirm I am over the age of 18; that I have read the foregoing Petition for PETITION FOR DISTRIBUTION OF FUNDS IN BLOCKED ACCOUNT and know the contents thereof; that the same is true of my own knowledge except as to those matter therein stated upon information and belief and as to those matters, I believe them to be true.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Dated this 8 day of March, 2017.

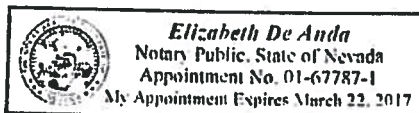

SANTINO CARDINALE

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

SUBSCRIBED and SWORN to before me
this 8th day of MARCH, 2017.

By SANTINO CARDINALE

NOTARY PUBLIC in and for said
COUNTY and STATE



AFFIDAVIT OF TESS CARDINALE

I, TESS CARDINALE, under penalty of perjury, deposes and says:

That I am the Petitioner in the above-entitled action; that I have read the foregoing PETITION FOR DISTRIBUTION OF FUNDS IN BLOCKED ACCOUNT and know the contents thereof; that the same is true of my own knowledge except as to those matter therein stated upon information and belief and as to those matters, I believe them to be true.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Dated this 8 day of March, 2017.

Tess Cardinale
TESS CARDINALE

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

SUBSCRIBED and SWORN to before me
this 8th day of MARCH, 2017.

BY NATALIA CARDINALE AKA TESS CARDINALE

NOTARY PUBLIC in and for said
COUNTY and STATE



EXHIBIT 1

EXHIBIT 1

PATRICK N. CHAPIN, ESQ.
 Nevada Bar No. 004946
 2920 N. Green Valley Parkway
 Bldg. 4, Suite 421
 Henderson, Nevada 89014
 (702) 433-8780
 Attorney for Petitioner, TESS CARDINALE

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

TESS CARDINALE, Guardian)
 ad Litem for SANTINO CARDINALE) Case No.: CV-S-02-0122- PMP(LRL)
 and GIANNI CARDINALE, Minors,)
 and TESS CARDINALE and) **ORDER APPROVING**
 LEONARD CARDINALE, as) **PETITION FOR COMPROMISE OF**
) **MINORS' CLAIMS**

Plaintiffs,)
 vs.)

LA PETITE ACADEMY, INC.)
 a Delaware corporation; DOES)
 I-X and ROE CORPORATIONS)
 I-X, inclusive,)

Defendants.)

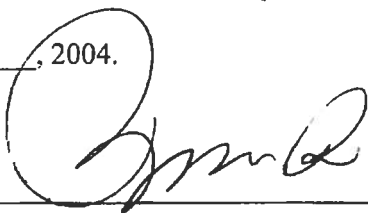
This Petition for a Compromise of a Minors' Claims being brought before the Court, and the same being unopposed, and having been considered by this Court, and being fully advised, and based on the Petition and good cause appearing therefor,

IT IS HEREBY ORDERED that Petitioner's request to compromise the claims of her minor sons, SANTINO CARDINALE and GIANNI CARDINALE, two of the Plaintiffs herein, is hereby GRANTED;

IT IS FURTHER ORDERED that Petitioner shall deposit the minors' settlement proceeds from their compromised claims, in the sum of \$5,000.00 for each minor, in a blocked

1 financial investment account and to follow and abide by all other requirements for
2 compromising the claim of a minor pursuant to N.R.S. 41.200 *et. seq.*

3 DATED this 2nd day of Aug, 2004.

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5 
6 PHILIP M. PRO, United States District
7 Judge

8 Respectfully submitted,

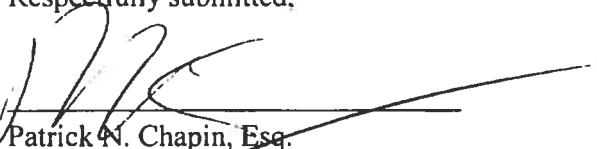
9 
10 Patrick N. Chapin, Esq.
11 Nevada Bar No. 004946
12 2920 N. Green Valley Parkway
13 Bldg. 4, Suite 421
14 Las Vegas, Nevada 89121
15 Attorney for Petitioner, TESS CARDINALE
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EXHIBIT 2

EXHIBIT 2



Online Banking

Tino blocked CD 0357**Summary**

Current balance: **\$7,363.82**
Date opened: **08/13/2004**
Term: **120 months**
NOTE: a penalty for early withdrawal may apply

Services

[View current CD rates](#)

Account details as of 03/08/2017

Nickname: **Tino blocked CD 0357 Edit**
Account number: **91000055050357 Hide**
Current balance: **\$7,363.82**
Date opened: **08/13/2004**
Term: **120 months**
Next maturity date: **08/13/2024**

Deposit

Beginning balance this term: **\$7,336.21**
Last renewal date: **08/13/2014**

Interest

Interest rate: **0.15%**
Annual percentage yield: **0.15%**
Interest earned not paid: **\$0.70**
Interest paid last year: **\$11.04**
Interest withheld for taxes this year: **\$0.00**
Interest withheld for taxes last year: **\$0.00**

EXHIBIT 3

EXHIBIT 3

STATE OF NEVADA

CERTIFICATION OF VITAL RECORD

TYPE/PRINT
IN
PERMANENT
BLACK INK

16304

STATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES
DIVISION OF HEALTH — SECTION OF VITAL STATISTICS

CERTIFICATE OF LIVE BIRTH

STATE FILE NUMBER

FOR
INSTRUCTIONS
SEE
HANDBOOK

LOCAL FILE NUMBER

CHILD

1. CHILD'S NAME Santino		2. DATE OF BIRTH (Month, Day, Year) October 30, 1998	
3. TIME OF BIRTH 10:15 PM	4. SEX Male	5. CITY, TOWN OR LOCATION OF BIRTH Henderson	6. COUNTY OF BIRTH Clark
7. PLACE OF BIRTH (Specify) Hospital		8. FACILITY NAME (If not institution, give street and number) St. Rose Dominican Hospital	
9. I certify that this child was born alive at the place and time and on the date stated. <i>Karen S. Lund</i> Signature		10. DATE SIGNED (Month, Day, Year) 11-3-98	11. ATTENDANT'S NAME AND TITLE (If other than certifier) (Type/Print) Rafael G. Juarez M.D.
12. CERTIFIER'S NAME AND TITLE (Type/Print) Karen S. Lund NAME NZMS Clerk TITLE		13. ATTENDANT'S MAILING ADDRESS (Street and number or rural route number, city, or town, Zip Code) 98 E. Lake Mead Dr. Henderson, NV 89015	
14. REGISTRAR'S SIGNATURE <i>Judith Henderson, Deputy</i>		15. DATE FILED BY REGISTRAR (Month, Day, Year) NOV 06 1998	
16. MOTHER'S NAME Natercia		17. AGE 37	
18. BIRTHPLACE (State or foreign country) New York	19a. RESIDENCE - STATE Nevada	19b. COUNTY Clark	19c. CITY, TOWN OR LOCATION Henderson
19d. STREET AND NUMBER 405 Carleton Drive		19e. INSIDE CITY LIMITS? Yes	20. MOTHER'S MAILING ADDRESS (If same as residence, enter Zip Code only) 89014
21. FATHER'S NAME Leonard		22. AGE 34	
23. BIRTHPLACE (State or foreign country) New Jersey		24. I certify that the personal information provided on this certificate is correct to the best of my knowledge and belief. Signature of parent or other informant > Natercia Cardinale	

CERTIFIER/
ATTENDANTDEATH UNDER
ONE YEAR
OF AGEEnter State File
Number of
death certifi-
cate for this
child.

MOTHER

FATHER

INFORMANT

"CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE WITH THE REGISTRAR OF VITAL STATISTICS, STATE OF NEVADA." This copy was issued by the Southern Nevada Health District from State certified documents authorized by the State Board of Health pursuant to NRS 440.175.

A000057798

DATE ISSUED: NOV 12 2014

Registrar of Vital Statistics

By: *M. Cardinale*

This Copy not valid unless prepared on engraved border displaying date, seal and signature of Registrar.
SOUTHERN NEVADA HEALTH DISTRICT • P.O. Box 3902 • Las Vegas, NV 89127 • 702/759-3010 • Fax ID: 759-51573



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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

TESS CARDINALE, Guardian Ad Litem
for SANTINO CARDINALE and GIANNI
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CARDINALE,

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vs.

LA PETITE ACADEMY, INC., a Delaware
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Defendants.

Case No. 2:02-cv-00122-RFB (LRL)

**ORDER APPROVING PETITION
FOR DISTRIBUTION OF FUNDS
IN BLOCKED ACCOUNT**

The Petition for Distribution of Funds in Blocked Account (Petition) that was filed on behalf of Plaintiff/Petitioner, TESS CARDINALE, as Guardian Ad Litem for SANTINO CARDINALE, has been heard and considered. Upon consideration of the Petition, the law and evidence,

THE COURT HEREBY FINDS:

- A. All allegations in the Petition are true;
- B. A blocked account for SANTINO CARDINALE is held with Bank of America under Account No. 91000055050357 with an approximate current balance of \$7,363.82;
- C. SANTINO CARDINALE has attained the age of 18. Therefore, the blocked account is no longer needed as SANTINO CARDINALE has attained the age of majority and

1 is capable of handling his own affairs. The funds in Account 91000055050357 should be
2 distributed to SANTINO CARDINALE, an adult.

3 **IT IS THEREFORE ORDERED, ADJUDGED and DECREED that:**

4 1. BANK OF AMERICA is hereby authorized and directed to distribute any and
5 all funds in Account No. 91000055050357 to SANTINO CARDINALE, an adult.

6 DATED this 6th day of April, 2017.

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9 RICHARD F. BOULWARE, II
10 United States District Judge

11
12 Respectfully Submitted By:

13 **PATRICK N. CHAPIN, LTD.**

14 

15
16 **PATRICK N. CHAPIN, ESQ.**

17 Nevada Bar No. 004946

18 129 Cassia Way

19 Henderson, Nevada 89014

(702) 433-7295

20 Attorney for Plaintiffs/Petitioners
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